



June 16, 2011

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Watershed Management Bureau  
NH Department of Environmental Services  
PO Box 95 - 29 Hazen Drive  
Concord, NH 03302-0095

**RE: Lamprey River Water Management Plan Report NHDES-R-WD-11-9**

Dear Mr. Ives,

The Lamprey River Advisory Committee (LRAC) appreciates the opportunity to comment on the Lamprey River Water Management Plan Report NHDES-R-WD-11-9, hereinafter referred to as the "Plan."

As with its previous comments on instream flow, the LRAC's principal concerns regarding this subject are ensuring that there is adequate flow in the Lamprey River for ecological needs and recreational use. The LRAC continues to believe that if adequate flows are protected to support and maintain these uses there will be ample flow for other protected uses.

The LRAC generally supports the protected instream flows and the triggers for the seasonal bio-periods. The LRAC also supports in general the three-pronged strategy for managing instream flows—Conservation Plans, Dam Management Plans, and Water Use Plans. However, the LRAC also offers the following comments and concerns regarding the Plan.

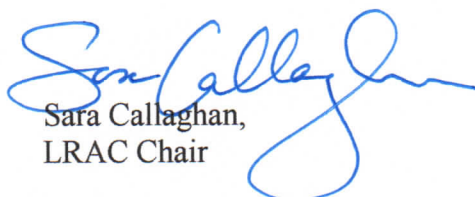
1. There is some confusion among the stakeholders as to the pilot nature of the two-year program. The introduction to the Plan should make that clear. The LRAC suggests that an evaluation be made **one year** after implementation to inform stakeholders and the public as to how the Plan is working and to make any adjustments for the next year. In 2013, we understand that the pilot program in its entirety will be evaluated, but feel that an interim evaluation is necessary as well.
2. The Plan should articulate how the pilot program would be extended to the rest of the Lamprey and several of its tributaries which have just been designated into the program

as well as how other rivers designated under the NH River Management and Protection will be included in the Plan.

3. The water conservation plans should be mandatory for drinking water suppliers that withdraw water from the Lamprey River. We believe that these water conservation plans should be made enforceable through a town ordinance with penalties for non-compliance.
4. According to the Instream Flow report and subsequent advisory management meetings, the River should never fall below 4 cfs and the protected flow is established at 16 cfs. However, the Plan is structured in such a way that the potential exists for the flow at the USGS gage 01073500 Lamprey River (Packer's Falls location) to drop to zero for as many as 25 days during the rare flow, catastrophic duration during the July 5—October 6 bio-period before Stage 4 conservation actions are taken. Such a situation would clearly result in negative effects to ecological resources, including but not limited to the rearing and growth of the shiner. This is contrary to RSA 483:9-c, IV which states: "The protected instream flow levels established under this section shall be maintained at all times..." The LRAC urges that some provision tied to flow magnitude, not duration, be added to the Plan to address this possible scenario. Further, it is unclear to us why the 4 cfs protected flow value was removed from the Plan. Please explain.
5. We are uncertain that the proposed relief pulses are of adequate duration to address the negative ecological effects that occur during low flow periods. Natural relief in the form of precipitation tends to be widely dispersed throughout a watershed. Consequently, runoff and infiltrated precipitation are gradually delivered to the stream network in a dispersed and staggered manner. By contrast, the relief pulses presented in the Plan are delivered in short bursts to the largest components of the network. While they may buy some time, it is uncertain if they will be effective at offsetting the ecological effects of low flow. Please explain how the Department of Environmental Services intends on evaluating whether or not the relief pulses are having the desired effect.
6. The LRAC is mindful that the relief pulses during the summer and winter seasons may result in drawdowns which could negatively affect upstream lakefront property owners. While unwanted, the summer drawdowns are likely to be infrequent with little change to lake level. However, winter drawdowns are more ecologically problematic and less manipulation of the impoundment levels would be preferred. The LRAC encourages further examination of this management strategy.

Thank you for this opportunity to comment. The LRAC looks forward to the implementation of instream flow protections for the Lamprey River and its tributaries.

Sincerely,

  
Sara Callaghan,  
LRAC Chair